

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CHARLES I. IKEKWERE,

Plaintiff,

v.

SOUTHWALL TECHNOLOGIES, INC.,

Defendant.

Case No.: C 04-0027 JF (PVT)

**ORDER DEEMING DEFENDANT'S
MOTION FOR "ADMINISTRATIVE
RELIEF" TO BE A MOTION FOR
RELIEF FROM THE DISCOVERY
CUTOFF TO TAKE DEPOSITION,
AND MOTION TO SHORTEN TIME
ON SAID MOTION, AND SETTING
BRIEFING SCHEDULE**

On June 30, 2006, Defendant filed a document entitled "Motion for Administrative Relief for an Order Permitting Southwall to Take Martha Minor's Videotaped Deposition on or Before July 10, 2006, Due to Serious Illness." Defendant cites no authority for failing to comply with the notice requirements of Civil Local Rule 7-2(a) along with either a stipulation or a motion to shorten time under Civil Local Rule 6-2 or 6-3. However, in light of the circumstances set forth in the moving papers, the court will deem the motion to be a motion for leave from the discovery cutoff in order to take the deposition of Martha Minor on or before July 10, 2006, and a motion to shorten time for hearing that motion. Based on the moving papers,

IT IS HEREBY ORDERED that the motion to shorten time is granted.

IT IS FURTHER ORDERED that, no later than 10:00 a.m. on July 7, 2006, Plaintiff shall file any opposition to Defendant's motion for leave from the discovery cutoff in order to take the

1 deposition of Martha Minor. Plaintiff's opposition, if any, shall include detailed information about
2 Plaintiff's counsel's scheduling conflict. The court will rule on the motion without oral argument.
3 Although this briefing schedule is short, Plaintiff was sent notice of the motion through the court's
4 ECF system on June 30, 2006, and the issue presented is not complex.

5 Dated: 7/5/06

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7 PATRICIA V. TRUMBULL
8 United States Magistrate Judge
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